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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,774	12/26/2001	Atsushi Kanamori	3382-61327	7925

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EXAMINER	
ALI, SYED J	

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/032,774	KANAMORI, ATSUSHI	
	Examiner	Art Unit	
	Syed J Ali	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *Dec. 26, 2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-56 are pending in this application.

Double Patenting

2. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states, "whoever invents or discovers any new and useful process ... may obtain a patent therefor..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

3. **Claims 1-9, 15, 24-40, and 51-56 rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-30 of prior U.S. Patent No. 6,415,334. This is a double patenting rejection.**

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 10-14 and 41-45 are rejected under 35 U.S.C. 102(a) as being anticipated by Platt ("Give ActiveX-based Web Pages a Boost with the Apartment Threading Model").**

6. As per claim 10, Platt teaches the invention as claimed, including a method in a computer system for determining whether a object can be invoked from the current thread, the object being instantiated by an instantiating thread and being identified by a first reference (pg. 13, paragraph 2), the method comprising:

requesting the instantiating thread to marshal a second reference to the object to the current thread (pg. 13, paragraph 2);

when the second reference is received,

determining whether the second reference is the same as the first reference (pg. 15, paragraph 2);

when the references are the same, invoking the method of the object from the current thread (pg. 15, paragraph 2); and

when the references are not the same, requesting that the instantiating thread invoke the method of the object (pg. 14, paragraph 3).

7. As per claim 11, Platt teaches the invention as claimed, including the method of claim 10 including saving an indication of whether the instantiating thread should be used to invoke methods of the object so that the instantiating thread is requested to invoke the method of the object for subsequent invocations of methods of the object (pg. 14, paragraph 3).

8. As per claim 12, Platt teaches the invention as claimed, including the method of claim 10 including saving an indication of whether any current thread can be used to invoke the method of the object so that any current thread can invoke methods of the object (pg. 15, paragraph 2).

9. As per claim 13, Platt teaches the invention as claimed, including the method of claim 10 wherein the instantiating thread uses a marshaling member functions of the object to marshal the second reference (pg. 14, paragraph 3) and wherein when the object is thread-safe, the marshaling member function marshals a pointer that points directly to the object (pg. 15, paragraph 2).

10. As per claim 14, Platt teaches the invention as claimed, including the method of claim 10 wherein object is developed to adhere to the Microsoft Component Object Model (pg. 11, paragraph 3).

11. As per claims 41-45, Platt teaches the invention as claimed, including a computer-readable medium containing instructions for causing a computer system to perform the method of claims 10-14, respectively (Figs. 1, 3, 7-8, and 10-18).

12. **Claims 16-23 and 46-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Whitehead et al. (USPN 6,085,030) (hereinafter Whitehead).**

13. As per claim 16, Whitehead teaches the invention as claimed, including a method in a computer system for mapping access to Microsoft Component Object Model ("COM") objects to a Java programming model, the computer system having a Java virtual machine ("VM") for executing statements of the Java program, the method comprising:

when executing a statement of the Java-based program to instantiate a COM object (col. 9 lines 21-46),

instantiating a wrapper object (col. 12 lines 30-43);

instantiating the COM object (col. 11 line 54 - col. 12 line 3); and

storing a reference to the instantiated COM object in the instantiated wrapper object (col. 12 lines 44-60);

using a pointer to the wrapper object as a reference to the COM object (col. 12 lines 44-60); and

when executing a statement of the Java-based program to invoke a member function of the COM object referenced by the pointer to the wrapper object (col. 12 line 67 - col. 13 line 7),

invoking the member function of the COM object (col. 12 line 67 - col. 13 line 7);

when the member function returns an indication of an error, generating an exception (col. 9 lines 21-46); and

setting a return value of the member function to a return parameter of the member function (col. 9 lines 21-46).

14. As per claim 17, Whitehead teaches the invention as claimed, including the method of claim 16 wherein a class definition file for the COM object contains an indication of which parameter of the member function of the COM object should be returned as the return value of the member function according to the Java programming model (col. 1 lines 44-56).

15. As per claim 18, Whitehead teaches the invention as claimed, including the method of claim 16 wherein when the COM object is apartment-threaded, requesting an apartment thread to access the COM object (col. 11 line 54 - col. 12 line 3).

16. As per claim 19, Whitehead teaches the invention as claimed, including a method in a computer system for mapping access to an object developed with a first programming model to a second programming model, the method comprising:

intercepting an attempt to instantiate the object (col. 9 lines 7-20);

instantiating the object (col. 11 line 54 - col. 12 line 3); and

setting a wrapper object to reference the instantiated object (col. 12 lines 44-60);

intercepting an attempt to invoke a member function of the instantiated object using a reference to the wrapper object (col. 12 lines 30-43);

invoking the member function of the object referenced by the wrapper object (col. 12 lines 44-60); and

mapping parameters returned by the invoked member function in accordance with the first programming model to the second programming model (col. 12 line 61 - col. 13 line 7).

17. As per claim 20, Whitehead teaches the invention as claimed, including the method of claim 19 wherein the first programming model is the Microsoft Component Object Model (col. 8 line 54 - col. 9 line 6).

18. As per claim 21, Whitehead teaches the invention as claimed, including the method of claim 20 wherein the second programming model is a Java programming language model (col. 8 line 54 - col. 9 line 6).

19. As per claim 22, Whitehead teaches the invention as claimed, including the method of claim 19 wherein the mapping of parameters includes when a result status that indicates an error, is returned by the member function generating an exception (col. 9 lines 21-46).

20. As per claim 23, Whitehead teaches the invention as claimed, including the method of claim 19 wherein the mapping of parameters includes setting a return value of the member function to a parameter returned by the member function (col. 9 lines 21-46).

21. As per claims 46-50, Whitehead teaches the invention as claimed, including a computer-readable medium containing instructions for causing a computer system to perform the method of claims 19-23, respectively (Fig. 1).

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Syed Ali
March 26, 2005

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SUPERVISORY PATENT EXAMINER
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